

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Harold Rodriguez	Team: Squad #5	CCRB Case #: 201701812	<input type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Wednesday, 03/08/2017 7:30 PM	Location of Incident: [REDACTED]	Precinct: 79	18 Mo. SOL 9/8/2018	EO SOL 9/8/2018	
Date/Time CV Reported Wed, 03/08/2017 8:39 PM	CV Reported At: CCRB	How CV Reported: On-line website	Date/Time Received at CCRB Wed, 03/08/2017 8:39 PM		
Complainant/Victim	Type	Home Address			
[REDACTED]	[REDACTED]	[REDACTED]			
Witness(es)	Home Address				
[REDACTED]	[REDACTED]				
Subject Officer(s)	Shield	TaxID	Command		
1. SSA Marshall Winston	04109	913724	HBK RT		
Witness Officer(s)	Shield No	Tax No	Cmd Name		
1. POF Cecelia Wilson	15159	956335	HBK RT		
2. POM Ahmed Salameh	17249	959186	HBK RT		
Officer(s)	Allegation			Investigator Recommendation	
A.SSA Marshall Winston	Discourtesy: Sergeant Marshall Winston spoke discourteously to § 87(2)(b) [REDACTED]			[REDACTED]	

Case Summary

§ 87(2)(b) filed the following complaint with the CCRB via the online website on March 8, 2017.

On March 8, 2017, at approximately 7:30 p.m., § 87(2)(b) was pulled over in front of § 87(2)(b) in Brooklyn for a defective headlight. § 87(2)(b) was pulled over by SSA Marshall Winston from Housing Borough Brooklyn Response Team. § 87(2)(b) was in his vehicle with his § 87(2)(b) step-daughter, § 87(2)(b) in the front passenger seat. § 87(2)(b) had a lit cigarette in his hand and threw it out of his car window as SSA Winston approached. SSA Winston asked for § 87(2)(b)'s documents and told him he would be getting a summons for the headlight and for littering (Board Review 01). PO Cecelia Wilson from Housing Borough Brooklyn Response Team came back and handed § 87(2)(b) the two summonses. § 87(2)(b) exited his vehicle, walked over to SSA Winston and PO Ahmed Salameh, who stood by the police vehicle and argued with SSA Winston about why he did not issue the summonses himself. SSA Winston replied, "Suck my dick" (**Allegation A**). § 87(2)(b) called 911 to report SSA Winston. When no officers responded to his call, § 87(2)(b) left the location.

There is no video associated with this case.

Mediation, Civil and Criminal Histories

- This case was originally sent to the Mediation Unit on March 22, 2017 and was returned for investigation on May 10, 2017 when SSA Winston rejected mediation.
- A Notice of Claim request was sent to the NYC Comptroller's office on June 9, 2017 and the results will be added to the case file upon receipt.
- [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)]

Civilian and Officer CCRB Histories

- § 87(2)(b) has filed 17 previous complaints with the CCRB, § 87(2)(b)
- SSA Winston has 44 allegations against him across 20 CCRB cases. SSA Winston has two substantiated allegations against him. In CCRB case number 201606819, SSA Winston had an allegation of Discourtesy substantiated against him and the board recommended Command Discipline A. SSA Winston has a total of 11 Discourtesy allegations against him at the CCRB but only one was substantiated.

Potential Issues

- § 87(2)(b) did not want to provide contact information for his daughter, § 87(2)(b) § 87(2)(b) was not contacted as she was a minor and § 87(2)(b) did not want the CCRB to speak with her.

Findings and Recommendations

Allegation A -Discourtesy: Sergeant Marshall Winston spoke discourteously to § 87(2)(b)

According to § 87(2)(b) he was pulled over for a defective headlight by SSA Winston. He complied with giving him his documents but was not happy with the fact that PO Wilson was the officer that issued him the summonses. He exited the vehicle and confronted SSA Winston

about not writing the summonses. § 87(2)(b) asked for SSA Winston's name and SSA Winston showed him his name plate. § 87(2)(b) asked SSA Winston if he was going to arrest him and that SSA Winston walked towards him in an aggressive manner. SSA Winston told § 87(2)(b) "Suck my dick" before walking away. § 87(2)(b) called 911 to file a complaint and was told a supervisor would arrive on scene but never did.

SSA Winston, PO Wilson and PO Salameh were consistent that § 87(2)(b) approached SSA Winston aggressively, cursing and yelling about SSA Winston not writing the summonses. They consistently stated that SSA Winston did not engage § 87(2)(b) other than to tell him to return to his vehicle. They consistently stated that SSA Winston did not state, "suck my dick" towards § 87(2)(b) and did not use any kind of profanity towards him.

§ 87(2)(g)

Squad:

Investigator: _____
Signature Print Date

Squad Leader: _____
Title/Signature Print Date

Reviewer: _____
Title/Signature Print Date